

## **REMARKS/ARGUMENTS**

Applicants have received the Office Action dated November 26, 2007, in which the Examiner: 1) rejected claims 1-7, 10-18 and 20-27 under 35 U.S.C. § 103(a) as allegedly obvious in view of Huberman ("Enhancing Privacy and Trust in Electronic Communities"), Yeager (U.S. Pub. No. 2004/0133640) and Hanson (U.S. Pat. No. 6,868,074); and 2) rejected claims 8-9 and 19 under 35 U.S.C. § 103(a) as allegedly obvious in view of Huberman, Yeager, Hanson and Zacks (U.S. Pub. No. 2004/0192383). With this Response, Applicants amend claims 1, 8-11 and 24, cancel claims 7 and 26, and add new claims 28-29. Based on the amendments and arguments herein, Applicants respectfully submit that this case is in condition for allowance.

### **I. REJECTIONS IN VIEW OF HUBERMAN, YEAGER AND HANSON**

The Examiner rejected claims 1-7, 10-18 and 20-27 under 35 U.S.C. § 103(a) as allegedly obvious in view of Huberman, Yeager and Hanson. As amended, claim 1 requires "if the third encoded value matches the fourth encoded value, adjusting a total number of matches" and "enabling users of the first and second communication devices to physically locate one another only if said total number of matches meets or exceeds a threshold." Support for this combination of limitations may be found at least in paragraph [0028] of the specification. The combination of Huberman, Yeager and Hanson fails to teach or even suggest these limitations. Thus, independent claim 1 and dependent claims 2-6, 8-10 and 28 are patentable over the combination of Huberman, Yeager and Hanson.

As amended, independent claim 11 requires "wherein, if the communication device's attribute matches the attribute stored in the external device, the communication device adjusts a number of matches" and "wherein, if the number of matches does not meet or exceed a threshold, the communication device refrains from disclosing a physical location of a user of the external device to a user of the communication device, unless a predetermined attribute of the communication device matches another attribute of the external device." Support for this combination of limitations may be found at least in paragraph [0028] of the

specification. The combination of Huberman, Yeager and Hanson fails to teach or suggest these limitations. Thus, independent claim 11 and dependent claims 12-23 are patentable over the combination of Huberman, Yeager and Hanson.

As amended, independent claim 24 requires “wherein the first communication device is capable of designating a subset of the first plurality of attributes as information that may always, occasionally or never be revealed to the second communication device.” Support for this limitation may be found at least in paragraph [0028] of the specification. The combination of Huberman, Yeager and Hanson fails to teach or suggest this limitation. Thus, independent claim 24 and dependent claims 25, 27 and 29 are patentable over the combination of Huberman, Yeager and Hanson.

New, dependent claim 28 requires “emitting an audible ring tone indicative of said total number of matches.” Support for this limitation is found at least in paragraph [0027]. The combination of Huberman, Yeager and Hanson fails to teach or suggest this limitation. Thus, dependent claim 28 is patentable over the combination of Huberman, Yeager and Hanson.

New, dependent claim 29 requires “wherein, if the first communication device is physically separated from the second communication device by a predetermined distance, the first communication device generates a message indicative of said separation.” Support for this limitation is found at least in paragraph [0029]. The combination of Huberman, Yeager and Hanson fails to teach or suggest this limitation. Thus, dependent claim 29 is patentable over the combination of Huberman, Yeager and Hanson.

## **II. REJECTIONS UNDER HUBERMAN, YEAGER, HANSON AND ZACKS**

The Examiner rejected claims 8-9 and 19 under 35 U.S.C. § 103(a) as allegedly obvious in view of Huberman, Yeager, Hanson and Zacks. As established above, claims 8-9 and 19 are patentable over the combination of Huberman, Yeager and Hanson. Zacks fails to satisfy the deficiencies of Huberman, Yeager and Hanson. Thus, claims 8-9 and 19 are patentable over the combination of Huberman, Yeager, Hanson and Zacks.

### **III. CONCLUSION**

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

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